

Case 2:07-cv-00301-ID-CSC Document 5 Filed 05/15/2007 Page 1 of 4 Case 2:07-cv-00301-ID

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
Northern Division.

RECEIVED

Honorable Chief Magistrate ^{2007 May 18} Charles S. Coody,

Comes now Plaintiff Dwone Harrison in response to ordered in which it was ordered to show cause why this case [2:07-cv-301-ID] should ~~not~~ be dismissed for failure to pay the initial partial filing fee in compliance with the order entered on April 12, 2007.

Chief Magistrate Judge,
Plaintiff has complied with Authorization which was ordered by the Courts to withdraw funds from his prison account for payment of the initial partial filing fee and the 20% deduction for \$350.00. Plaintiff's account has no funds available at this moment to transfer initial partial filing fee and the 20% deduction. Plaintiff funds will be transferred immediately to the Courts when received on the account. Plaintiff receives no pay for his job assignment by the Dept. of Correction. Plaintiff do wish to continue with this cause of action against the defendant.

Plaintiff donot wish or advise the court to dismiss. Plaintiff is unable to comply at this time with the order directing payment of an initial partial filing fee set for May 18, 2007. I have included a document in which plaintiff did authorize removal of funds to the court.

Done, this 12th day of May 2007.

Respectfully,
Dwone Harrison

Do Plaintiff have to keep requesting the courts for extensions on paying initial partial filing fee when Plaintiff has been already granted forma pauperis

**NOTICE OF INTENT TO WITHHOLD
COURT ORDERED WITHHOLDING FROM PMOD FUNDS**

TO:

DWONE C. HARRISON, #193689

Inmate Name and AIS Number

FROM:

VALERIA SPATES, PMOD CLERK

Business Manager

SUBJECT: Court Ordered Withholding

This is to advise you that an Order from U.S. Middle District Court, case number
2:07-cv-301FD, has been received directing the Alabama Department of Corrections to withhold
\$ 350.00 from your PMOD account. A copy of the Order is attached to this notice.

~~You are entitled to a Fair Hearing prior to assessment of these charges. Your PMOD account has been frozen pending the outcome of this hearing. The hearing is scheduled for the date of _____ at _____ (a.m.) (p.m.) in my office or other convenient place to be determined. At that time, you may produce any evidence you have to show why compliance with the Order should not be had. In the alternative, you may waive this hearing by completing the attached Fair Hearing Waiver, ADOC Form 112-B.~~

Received: John L. Henderson

Date: 5/15/07

Distribution: Original to Business Office
Copy to inmate

THIS IS A NOTICE. A HEARING IS NOT NECESSARY.

ADOC Form 112-A

Wone Harrison
2800 Fountain
Aptmore, AL 36503

#1936891 D-Dorm



Office of the Clerk
United States District Court
P.O. Box 711
Montgomery, AL 36101-0711

LEGAL